

From: Bill
To: Microsoft ATR
Date: 12/29/01 10:59pm
Subject: Microsoft decision

Microsoft is an 800 pound gorilla. You finally have it afraid of you. To my way of thinking, you may never be able to wrestle this 800 pound gorilla to the floor again, so you had best do the job right this time.

I urge you to make the settlement harshly punitive. If you don't pen the gorilla now, it's unlikely you ever will.

Write a "plain English" settlement. You should be able to wrap the whole thing up in a single brief paragraph. The more you write, the more ammunition you are giving Microsoft.

Do not allow Microsoft to dictate any of the terms. Microsoft is NOT repentant and will NOT encourage language that allows a "level playing field". It is clear that they well know how to craft a settlement that looks good but is totally without teeth. Take away their paper and don't let them write on yours.

They MUST repudiate all current license agreements which require that their operating system be installed on new computers.

They MUST repudiate any license agreements which forbid "dual-boot" with their operating system and another (without restriction).

They MUST repudiate any license agreements which forbid revelation of actual price paid for their operating system as reflected in the retail price of a hardware device.

They MUST agree to submit to the decisions of internet standards bodies. ANY network protocol that they implement MUST adhere to those published standards and NOT extend them in any fashion. Moreover, they MUST consent to roll back modifications already made to the kerberos standard as presently utilized in their operating systems to those in agreed upon by the accepted standards bodies. The change is simple to make. They should be given no more than 90 days to comply.

They MUST accept that failure to abide by the terms of the settlement ... to the letter ... will result in immediate seizure of all their financial assets without further recourse.

The law, particularly at this stage of the game, is generous in the latitude given prosecution. Go for the throat now or C.Y.A forever.

Sincerely,

W Canaday
Detroit, MI

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Linux a.genesis.com 2.4.14 #3 Fri Nov 9 23:14:31 EST 2001 K7 750MHz
8:06pm up 9 days, 18:09, 2 users, load average: 0.00, 0.00, 0.05

CC: dennispowell@earthlink.net@inetgw